

JS 44C/SDNY  
REV. 12/2005

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

Ford Motor Credit Company

## DEFENDANTS

Baldassarre Pinti a/k/a Buddy Pinti

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Deilly Mooney & Glastetter, LLP  
Martin A. Mooney, Esq.  
8 Thurlow Terrace  
Albany, NY 12203 (518) 436-0344

## ATTORNEYS (IF KNOWN)

Andrea B. Malin, Esq.  
Attorney for Debtor/Defendant  
1136 Route 9  
Hempstead Falls, NY 12590 (845) 298-1600

## CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

11 U.S.C. Section 502; 11 U.S.C. Section 1325(a)(5)(C) and Amendments V and XIV, U.S. Constitution; Appellant asserts an unsecured claim for the deficiency arising from disposition of debtor's vehicle

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes? ☐ Judge Previously AssignedIf yes, was this case Vol ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

## ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 302 PERSONAL INJURY -	[ ] 610 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	[ ] 400 STATE
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	MED MALPRACTICE	[ ] 620 FOOD & DRUG	28 USC 158	REAPPORTIONMENT
[ ] 130 MILLER ACT	LIABILITY	[ ] 305 PERSONAL INJURY	[ ] 625 DRUG RELATED	[ ] 424 WITHDRAWAL	[ ] 410 ANTI-TRUST
[ ] 140 NEGOTIABLE	[ ] 320 ARRAULT, FIRE &	PRODUCT LIABILITY	SEIZURE OF	28 USC 157	[ ] 430 BANKS & BANKING
INSTRUMENT	SLANDER	[ ] 308 ASBESTOS PERSONAL	PROPERTY		[ ] 450 COMMERCE/ICC
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT	[ ] 630 LIQUOR LAWS	PROPERTY RIGHTS	RATES/ETC
OVERPAYMENT &	EMPLOYERS'	LIABILITY	[ ] 640 RR & TRUCK	[ ] 820 COPYRIGHTS	[ ] 400 DEPORTATION
ENFORCEMENT OF	LIABILITY		[ ] 650 AIRLINE REGS	[ ] 830 PATENT	[ ] 470 RACKETEER INFLU-
JUDGMENT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 660 OCCUPATIONAL	[ ] 840 TRADEMARK	ENCED & CORRUPT
[ ] 151 MEDICARE ACT	LIABILITY	[ ] 370 OTHER FRAUD	[ ] 690 OTHER		ORGANIZATION ACT
[ ] 152 RECOVERY OF	[ ] 345 MARINE PRODUCT	[ ] 371 TRUTH IN LENDING		SOCIAL SECURITY	(RICO)
DEFAULTED	LIABILITY	[ ] 379 OTHER PERSONAL	LABOR	[ ] 861 MIA (1395FP)	[ ] 480 CONSUMER CREDIT
STUDENT LOANS	[ ] 350 MOTOR VEHICLE	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 862 BLACK LUNG (823)	[ ] 490 CABLE/SATELLITE TV
(EXCL VETERANS)	[ ] 355 MOTOR VEHICLE	PROPERTY DAMAGE	[ ] 720 LABOR/MGMT	[ ] 863 DWC (408(g))	[ ] 510 SELECTIVE SERVICE
[ ] 153 RECOVERY OF	PRODUCT LIABILITY	PRODUCT LIABILITY	RELATIONS	[ ] 865 DWWV (409(g))	[ ] 550 SECURITIES/
OVERPAYMENT OF	[ ] 360 OTHER PERSONAL		[ ] 730 LABOR/MGMT	[ ] 864 SSID TITLE XVI	COMMODITIES/
VETERANS BENEFITS	INJURY		REPORTING &	[ ] 866 RSI (409(g))	EXCHANGE
[ ] 160 STOCKHOLDERS SUITS			DISCLOSURE ACT		[ ] 575 CUSTOMER
[ ] 190 OTHER CONTRACT			[ ] 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	CHALLENGE
[ ] 195 CONTRACT PRODUCT			[ ] 790 OTHER LABOR	[ ] 870 TAXES	12 USC 5410
LIABILITY			LITIGATION	[ ] 871 IRS-THIRD PARTY	[ ] 581 AGRICULTURE CONTR
[ ] 196 FRANCHISE			[ ] 781 EMPL RET INC	28 USC 7500	[ ] 582 ECONOMIC
			SECURITY ACT		STABILIZATION ACT
					[ ] 583 ENVIRONMENTAL
					MAI IERS
					[ ] 584 ENERGY
					ALLOCATION ACT
					[ ] 585 FREEDOM OF
					INFORMATION ACT
					[ ] 590 APPEAL OF FEE
					DETERMINATION
					UNDER EQUAL ACCESS
					TO JUSTICE
					[ ] 595 CONSTITUTIONALITY
					OF STATE STATUTES
					[ ] 599 OTHER STATUTORY
					ACTIONS

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ allowance of \_\_\_\_\_ OTHER unsecured claim \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☒ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN X IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2a. Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Municipal Litigation
 ☐ 7 Appeal to Circuit Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is a pro se litigant

(PLACE AN X IN ONE BOX ONLY)

## BASIS OF JURISDICTION

 IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1332, 1441)

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[ ]	[ ]	INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Ford Motor Credit Company  
 P.O. Box 537901  
 Livonia, MI 48153  
 Wayne County

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Baldassarre Pinti a/k/a Buddy Pinti  
 359 Reservoir Road  
 Middletown, NY 10940  
 Orange County

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ FOLEY SQUARE  
(DO NOT check either box if this is a PRISONER PETITION.)

DATE SIGNATURE OF ATTORNEY OF RECORD

4/9/07

*Mark D. Glavin*

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

☒ YES (DATE ADMITTED Mo. 12 Yr. 1992)

Attorney Bar Code # 4528

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)